

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

BRANDON HALL,

Plaintiff,

v.

THE PARMAN CORPORATION and
GREEN HILLS COURT,

Defendants.

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No. 3:13-cv-00509

Judge Nixon

Magistrate Judge Knowles

ORDER

Plaintiff Brandon Hall has filed a Notice of Voluntary Dismissal, requesting the Court dismiss his claims against Defendant The Parman Corporation under Federal Rule of Procedure 41(a)(1)(A)(i). (Doc. No. 9.) While Rule 41 allows for the voluntary dismissal of actions, the Sixth Circuit has recognized that Rule 21 is a more appropriate vehicle for a Court to dismiss a party from an ongoing action. *See Letherer v. Alger Group, LLC*, 328 F.3d 262, 265–66 (6th Cir. 2003), *overruled on other grounds by Powerex Corp. v. Reliant Energy Servs., Inc.*, 551 U.S. 224, 231 (2007); *see also AmSouth Bank v. Dale*, 386 F.3d 763, 778 (6th Cir. 2004). Accordingly, pursuant to Rule 21, The Parman Corporation is **DISMISSED without prejudice** as a defendant in this matter. Plaintiff's claims against Defendant Green Hills Court remain intact.

It is so ORDERED.

Entered this 21st day of June, 2013.



JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT